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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

No. CR-15-01723-TUC-RCC(DTF)
JURY QUESTIONS
DURING TRIAL

United States of America,
Plaintiff,
v.
Lonnie Ray Swartz,
Defendant.

Jury questions during trial.
Day 3

FILED	RECEIVED	COPY	LODGED
APR 23 2018			
CLERK US DISTRICT COURT			
DISTRICT OF ARIZONA			
DEPUTY			

173

yes

Agent Scurt? 2

your back was to

weapon drawn when

Did you have your

in the video
from yesterday

90's

IS it an expectation
and/or a directive as
a B.P. officer to stay
with someone who is
climbing the fence
till they reach the ground?

at Nagasaki station?

How long was agent Wyacoop

gpc

ARE WE TO

ASSUME THAT

THE PIECES OF

CONCRETE ARE

INTACT AS THROU

AND NOT FRAGMENTS

OF A LARGER PIECE

OF CONCRETE?

YES

~~NO~~

- Have you ever
been with someone
right after they
had to discharge a
gun in the line of duty?

- If yes do you recall
how they reacted? *no*

- Prior to this event
had you received any
training on how an
individual may react
to having to discharge
a gun in the line of duty?

no

The times that
you had rocks thrown
at you was it
while you were trying
to detain someone?

yes

43

yes >

-was it a personal choice
to take cover?

-the night in question?^{yes}

Agent Schwartz prior to

-Have you worked with

How do you
know that the
individual standing
on the other side
of the fence
was ~~a~~ a Mexican
official?
yes

IS it common practice
to back off?
yes

→ During the times you were
rocked, did you feel like
your life was in danger?

→ Have you ever been rocked
before the night in question?
~~→ injured by rocks?~~

In the pictures the street seems
well lit. Is this normal lighting or
is the scene being lit by headlights,
portable lights, etc ?
yes

Do all BP officers
receive basic training
on what to do
and what not to do
when an area may
need to be investigated.
yes

The photos that
were taken of the
body was there additional
illumination being provided
during those photos?
MPS

Yes

~~Answer~~

Did you photo rocks first

bullet casings?

and or tape them?

~~* How many Rockings have
you been involved with or
seen & how did you respond?~~

* At the time, were you
the only one taking photos?
14

* At the time Did you or
Do you know of anyone (from u.s.)
going to the mx side to
take photos or collect evidence?
14

Agent Pierce

How do you respond

if someone throw a rocks

on you -

And do you have any
experience in this.

yes

-If the angle in the video
is facing west, is the camera
on "camera pole facing east
or west?

-Have you ever or since
that night been rocked? yes

-if yes, did you feel like your
life or others were in danger? yes

-Have you worked with ~~work~~ of
Swartz prior to the events of
that night? yes

-is "deadly force" okay to use if you
feel like your life is in danger?
no

Is it common practice
for a B.P Agent to focus
on getting the drug verses
the Smuggler yes

* Other than Swartz Did you notice any other agents or officers ~~have~~ their gun drawn? yes

* Why are non-lethal weapons not made available to every agent? yes

* Have you ever drawn your weapon during a rocking? yes

* Do you know if the Dog Received Medical attention? yes